

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSEPH FUSCO,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	No. 17-00036
	:	
UBER TECHNOLOGIES, INC.,	:	
	:	
Defendant.	:	
	:	

ORDER

AND NOW, this 27th day of July, 2018, upon consideration of Defendant’s Motion to Dismiss (Doc. No. 8), the Response in Opposition thereto, following oral argument, and for the reasons set forth in this Court’s accompanying Memorandum Opinion, it is hereby **ORDERED** that:

- Defendant’s Motion to Dismiss (Doc. No. 8) is **GRANTED**.
- Counts VI, VII, and VIII of Plaintiff’s Complaint (Doc. No. 1) are **DISMISSED WITH PREJUDICE**.
- Counts I, II, III, IV, and V of Plaintiff’s Complaint are **DISMISSED WITHOUT PREJUDICE**. Plaintiff may file an amended complaint, **within thirty (30) days of the date of this Order**, to cure, if possible, the deficiencies of these counts, as set out in the accompanying Memorandum Opinion.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.